## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

GREATER ST. LOUIS	)
CONSTRUCTION LABORERS	)
WELFARE FUND, et al.,	)
Plaintiffs,	)
vs.	Case number 4:08cv0549 TCM
ATLAS PAVING & EXCAVATING	)
INC., and ROBERT HIGGINS,	)
	)
Defendants.	)

## **ORDER**

This action was referred to the undersigned Magistrate Judge in accordance with Rule 2.08(A) of the Local Rules of the Eastern District of Missouri. Pursuant to that Rule and 28 U.S.C. § 636(c), each party must execute a written consent to the undersigned's jurisdiction before the undersigned may enter a dispositive ruling. Plaintiffs obtained service on defendant Atlas Paving & Excavating, Inc., on April 22, 2008, and on defendant Robert Higgins on June 7, 2008. Neither defendant has filed a responsive pleading. Consequently, Plaintiffs have moved for an entry of default against Defendants; one has been granted against Robert Higgins. Plaintiffs have also moved for an order to compel an accounting. This motion is pending.

Clearly, Defendants are not going to consent to the undersigned ruling on the motion for an order to compel an accounting. Without these consents, the undersigned lacks jurisdiction to rule on the motion. Accordingly,

**IT IS HEREBY ORDERED** that the Clerk of the Court shall randomly reassign the instant cause of action to a United States District Judge for disposition.

/s/ Thomas C. Mummert, III
THOMAS C. MUMMERT, III
UNITED STATES MAGISTRATE JUDGE